

Application No. 09/691,991
Amendment of 11 June 2004
Reply to Office Action of 11 March 2004

Statement Regarding Common Ownership
(MPEP § 706.02(l))

The present application, U.S. Patent Application Serial No. 09/691,991, and the prior art patents cited by the examiner under 35 U.S.C. § 103(a), namely U.S. Patent No. 6,680,943, to Gibson, et al., and U.S. Patent No. 6,490,451, to Denman, et al., were owned by, or subject to an obligation of assignment to, Nortel Networks Limited at the time the invention of U.S. Patent Application Serial No. 09/691,991 was made.

Remarks

Claims 1 – 22 are currently pending in the application. The Examiner objected to claim 9 due to a misspelled word. The Examiner rejected claim 1 under 35 U.S.C. § 112, first paragraph, stating that the claims is not enabled. In addition, the Examiner rejected claims 1 – 4 under 35 U.S.C. § 103(a), as being obvious over Gibson, et al. (U.S. Patent No. 6,680,943). The Examiner also rejected claims 5 – 22 under 35 U.S.C. § 103(a), as being obvious over Denman, et al. (U.S. Patent No. 6,490,451).

The examiner also objected to the drawings submitted by the Applicants on 19 October 2000. Applicants have submitted corrected drawings for consideration by the Examiner in a separate paper as required by 37 CFR § 1.121 (d).

Applicants have amended claim 9 to correct the cited spelling error and thereby overcome the Examiner's objection.

Applicants traverse the Examiner's rejection of claim 1 under 35 U.S.C. § 112, first paragraph. Specifically, Applicant's respectfully refer the Examiner to the specification at page 10, line 21 through page 11, line 12, and Figure 4. The specification clearly explains that “[s]ince the call server controls the process, it must first send a command at step 401 to the media gateway requesting notification of the receipt of opcode events.” This exemplary embodiment from the specification therefore illustrates an embodiment of the limitation of claim 1 which requires “receiving a command from the call server to notify the call server of the receipt of one or more operating codes from the endpoint.” The method recited in claim 1 is written from the perspective of a network device such as a media gateway which, as explained above, would require the call server to send a command to the network device wherein the call server is requesting notification of operating codes from the endpoint. In light of this explanation, the Applicants respectfully request that the

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Examiner withdraw the rejection of claim 1 under 35 U.S.C. § 112, first paragraph.

As recommended by MPEP § 706.02(l), Applicants have included, in a separate section, a statement regarding the common ownership of the invention claimed in this application and the prior art used by the Examiner in the rejection of claims 1 – 22 under 35 U.S.C. § 103(a). In light of the Applicants' statement regarding common ownership, both prior art references cited by the Examiner are disqualified as prior art.

Therefore, in light of the amendments, argument and Applicants' statement above, Applicants respectfully submit that claims 1 – 22 are allowable. In light of the foregoing, Applicants respectfully request that the Examiner provide a notice of allowability for all currently pending claims 1 - 22.

The Examiner is invited to contact the undersigned at the below-listed number with any questions.

Respectfully submitted,



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R. Todd Morgan
Signature of Sender

Date of Signature: 11 June 2004